REMARKS

Claims 1-20 are currently pending in this application and shall remain pending following the entry of this response. No claims have been canceled. Claims 1, 11 and 17 are independent claims. Applicant submits that all presently pending claims are in condition for allowance.

Allowable Subject Matter

The Examiner has indicated that claims 6 and 15 recite allowable subject matter and would be allowed if amended to incorporate all of the subject matter of their respective parent claims. Applicant thanks the Examiner for the indication of allowable subject matter. However, Applicant submits that all presently pending claims 1-20 are in condition for allowance.

Claim Rejection under 35 U.S.C. § 103

Claims 1-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Palaez et al. (US Patent Application Pub. No. 2004/0185836, herein after *Palaez*), in view of Houde et. al. (US Patent No. 5,978,678, herein after *Houde*) Lozano et al. (US Patent No. 5,982,869, hereinafter *Lozano*) and further in view of Vikberg (US Patent No. 7,283,518 herein after *Vikberg*). This rejection is traversed, as each of these references, alone or in combination, do not teach or suggest the subject matter of the rejected claims.

Regarding independent claim 1, the references do not teach or suggest, "identifying an interconnection constraint comprising at least one of a preference and a restriction relating to selection of a circuit among a plurality of circuits associated with one of the plurality of trunks associated with the first node for routing the call." Similar features are recited in claims 11 and 17. The Examiner admitted that Palaez, Houde and Lozano fail to disclose this feature of the pending claims. However, Applicant submits that Vikberg does not provide support for the admitted deficiencies of Palaez, Houde and Lozano with respect to claim 1.

Vikberg discloses combining narrowband applications with broadband transport networks. For example, a communication architecture may include one or more media gateways

(MGs) providing a broadband switching fabric controlled by a media gateway controller (MGC) that includes switching intelligence and a narrowband switching fabric. The MGC may also provide bandwidth allocation on all traffic trunks interconnecting MGs controlled by the MGC. The new data structure may also maintain quality data representing the quality of packet transmissions in the broadband network data, while monitoring congestion in the broadband network and allocating bandwidth more efficiently (see Abstract of Vikberg).

As relied upon by the Examiner, FIG. 15 of Vikberg illustrates an example of routing an incoming call in a broadband network using a proprietary bandwidth data structure. In operation, when a new call enters the network at a media gateway, the media gateway controller will determine the maximum bandwidth needed for the call (see column 27, lines 30-35 of Vikberg). Next, Vikberg also discloses "From this information, the MGC determines the primary route for the call (step 1520) and checks the available bandwidth on the primary route (step 1530). If the available bandwidth on the primary route is greater than the maximum bandwidth required for the call (step 1540), the MGC instructs the MG to setup the call and bearer using the primary route…if the available bandwidth on the primary route is not sufficient to handle the call (step 1540), the MGC determines whether a secondary route to the destination is available."

Applicant submits that the process discussed on column 27 and FIG. 15 of Vikberg does not teach or suggest the features recited in the pending claims. For instance, claim 1 recites "identifying an interconnection constraint comprising at least one of a preference and a restriction relating to selection of a circuit among a plurality of circuits associated with one of the plurality of trunks associated with the first node for routing the call." Vikberg discloses that a maximum bandwidth level for an incoming call is determined and then attempts to apply the call routing to a "primary route" without selecting the "primary route" from a plurality of routes, or, as claim 1 recites "a plurality of circuits." Furthermore, Vikberg discloses using a requirement (i.e., a required bandwidth) as criteria for determining the success of routing a call. Vikberg does not use any preference or restriction. A preference by its ordinary meaning is a preferred alternative, and one that should be selected before any other. A restriction is a negative requirement that limits the amount of choices or alternatives. A restriction is the opposite of a requirement. Page 5 of the priority counterpart application (entitled 1.3 Solution Proposal) discloses that restrictive routing forces a call to terminate on the same WMG where the call

originated, and preferential routing first tries to terminate a call on the same WMG where the call originated, and if that is not possible, then circuits on other WMGs may be used.

Conversely, Vikberg discloses that a certain call quality criteria is used to measure a particular call route. That criteria is measured as an independent parameter (bandwidth) without any consideration for a preferred route selection or a restricted route selection. Having preferred or restricted routes used in the call routing process is beyond the scope of Vikberg. At best, Vikberg routes calls by taking one route at a time and verifying an independent bandwidth parameter for an already selected route. Therefore, Vikberg does not disclose or suggest the admitted deficiencies of Palaez, Houde and Lozano with respect to claims 1, 11 and 17.

Accordingly, the combination of Palaez, Houde, Lozano and Vikberg fails to disclose, suggest or render obvious the features recited in claims 1, 11 and 17. All of the claim recitations of the present application have not been taught by the references cited, and, thus, a prima facie case of obviousness has not been established. Withdrawal of the rejection of the claims is kindly requested.

CONCLUSION

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Raffi Gostanian at (972) 849-1310.

Respectfully submitted,
RG&ASSOCIATES

Dated: December 23, 2010

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